

08CN5915-2

REMARKS

Claims 1-23 are pending in the present application.

Reconsideration and allowance of the claims is respectfully requested in view of the above amendments and the following remarks.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1-23 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over each of U.S. Patent No. 5,120,801 to Chambers and U.S. Patent No. 4,873,276 to Fujii in view of WO '946 to Mhetar. Applicants respectfully traverse this rejection.

WO '946 to Mhetar was published on October 11, 2001. Applicants submit herewith a declaration from Adeyinka Adedeji, the inventor of the pending case, under 37 CFR 1.131 stating that the instantly claimed invention was reduced to practice prior to October 11, 2003. Thus it is apparent that WO '946 to Mhetar is not prior art under 35 U.S.C. § 102(a). Because Fujii and Chambers alone do not provide adequate basis for a prima facie case of obviousness, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a) and allowance of the claims.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 07-0862 maintained by Assignee.

Respectfully submitted,

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